

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADJUSTMENT OF THE RATES OF AUXIER)
ROAD GAS COMPANY, INC., FOR AN) CASE NO. 8768
INCREASE IN GAS RATES)

ORDER GRANTING LATE INTERVENTION
AND DENYING MOTION TO DISMISS

On June 6, 1983, the Auxier Community Development Club ("Development Club") filed a late petition to intervene in this proceeding. The Development Club also filed a motion to dismiss the case on the grounds that the Auxier Road Gas Company, Inc. ("Auxier Road") had not properly published notice of its proposed rate increase regarding the right of interested parties to intervene in the case. On June 10, 1983, Auxier Road responded to the motion to dismiss by emphasizing that three out of its six notices published in regard to this case contained specific language notifying members of the public of their right to intervene and participate in this case by filing an appropriate motion with the Commission.

Based upon our consideration of the above and being advised, the Commission finds that Auxier Road is in substantial compliance with the notice requirement set forth in 807 KAR 5:011

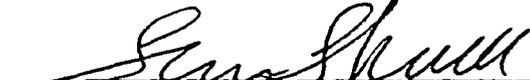
Section 8 and the Development Club's motion to dismiss should, therefore, be denied. The Commission further finds that good cause exists to allow the Development Club's late intervention.

The COMMISSION HEREBY ORDERS that the motion to dismiss filed by the Auxier Community Development Club be, and it hereby is, denied.

The COMMISSION FURTHER ORDERS that the Auxier Community Development Club's motion to intervene is granted.

Done at Frankfort, Kentucky, this 16th day of June, 1983.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary